IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

Bail Appl..No. 5124 of 2007()

CMP.4205/2007 of J.M.F.C.,KOLENCHERRY
CRIME NO.309/2007 OF KUNNATHUNAD POLICE STATION

.....

: PETITIONER/2ND ACCUSED

SHAJI, S/O SEKHARAN,
THEKKANATTU VEEDU, VELLOORKUNNAM KARA,
VELLOORKUNNAM VILLAGE, MUVATTUPUZHA.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5124 of 2007

Dated this the 4th day of September, 2007

ORDER

Petitioner is the 2nd accused in a crime registered under Section 376 I.P.C. The crime was initially registered under the caption `woman missing'. The victim/missing woman is a 23 year old Post Graduate holding M.Com. degree. She was found missing from 06.08.07. Investigation reveals that this victim having some mental aberration had left her home and was taken away by some miscreants who allegedly had sexual intercourse with her. The petitioner was identified to be one of the accused persons. He remains in custody from 10.08.07. Investigation is in progress. The test identification parade has already been conducted, it is submitted.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am in the facts and circumstances of this case satisfied that the petitioner can now be enlarged on regular bail subject to appropriate terms and conditions. In the absence of opposition, it is not necessary to advert to facts in any greater detail.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-